

## **Remarks**

Applicants respectfully request reconsideration of this application as amended. Claims 1, 3, 4, 8, 14, 22, 24-26, 29, and 31 have been amended. No claims have been cancelled or added. Therefore, claims 1-31 are presented for examination.

### **Potential 37 CFR §1.75 Objection**

The Examiner has indicated that if claim 4 should be found allowable, claims 19 and 20 will be objected to under 37 CFR §1.75 as being a substantial duplicate of claim 4. Applicants submit that claims 19 and 20 are not substantial duplicates of claim 4. Claims 19 and 20 depend from claim 18 and thereby include all of the limitations of that claim. Claim 4, which depends from claim 1, does not include the feature of updating size of the ACPI table containing the pointer to the starting address of the AML code recited in claim 18. As such, claims 19 and 20 cannot be substantial duplicates of claim 4. Therefore, applicants respectfully request that, if claim 4 is found allowable, claims 19 and 20 will not be objected to under 37 CFR §1.75.

### **35 U.S.C. §112 Rejection**

Claims 5, 6, 21, 27 and 30 stand rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. More specifically, the Examiner requested clarification on the meaning of the Stock Keeping Unit (SKU) of claims 5, 6, 21, and 27.

In the specification at paragraphs [0015] and [0016] on pages 7 and 8, a Stock Keeping Unit, or SKU, is described. As disclosed in the specification, a SKU is code or a

physical identifier on a board or platform hardware that defines the capabilities of that board or platform hardware. AML code is dynamically updated according to the board's SKU.

Applicants submit that the term SKU in claim 5, 6, 21, 27, and 30 is sufficiently described and claimed in the application. Therefore, applicants respectfully request that the 35 U.S.C. §112 rejection be withdrawn.

### **35 U.S.C. §102(b) Rejection**

Claims 1, 5-6, 8-9, 11-16, 22 and 26-28 stand rejected under 35 U.S.C. §102(b) as being anticipated by Lewis (U.S. Patent No. 6,167,511). Applicants submit that the present claims are patentable over Lewis.

Lewis discloses a method for the run-time modification of AML code in a BIOS of a computer system by scanning all of the AML code in the BIOS and finding an object based on specified criterion so that the AML corresponding to that object can be modified at run-time. (Lewis at col. 5, lines 41-46.) The method includes the steps of scanning all the AML code in the BIOS, finding an object based on specified criterion, and modifying the AML code corresponding to the object found based on the specified criterion. (Col. 6, lines 1-4.)

Claim 1, as amended, of the present application recites:

A method for updating ACPI machine language (AML) code, comprising:  
    searching for a pointer to a starting address of the AML code;  
    providing appropriate update values for the AML code corresponding to board capabilities determined by using General Purpose Input Output (GPIO) pins; and  
    updating the AML code with said appropriate update values.

Applicants submit that Lewis does not disclose or suggest providing appropriate update values for the AML code corresponding to board capabilities determined by using General Purpose Input Output (GPIO) pins. The Office Action cites col. 8, line 66 through col. 9, line 3 of Lewis as disclosing this feature. (See Office Action at page 3.) This cited portion of Lewis states, “[d]uring the Power On Self Test (“POST”), modify the AML code so that the device options, either selected during setup or specified by an Original Equipment Manufacturer (“OEM”) at build-time are correctly reflected in the ASL code.”

Yet, applicants are unable to find any disclosure or suggestion in Lewis of providing update values for AML code corresponding to board capabilities that are determined by using General Purpose Input Output (GPIO) pins. Furthermore, it is unclear if the “device options” cited in Lewis are the same as the board capabilities disclosed in the present application. Therefore, claim 1 is patentable over Lewis.

Claims 2-7 depend from claim 1 and include additional limitations. Therefore, claims 2-7 are also patentable over Lewis.

Independent claims 8, 14, 22, and 26 also recite the feature of providing appropriate update values for the AML code corresponding to board capabilities determined by using General Purpose Input Output (GPIO) pins. Thus, for the reasons discussed above with respect to claim 1, claims 8, 14, 22, and 26 are also patentable over Lewis.

Claims 9-13, 15-17, 23-25, and 27-28 depend from claims 8, 14, 22, and 26, respectively, and include additional limitations. Therefore, claims 9-13, 15-17, 23-25, and 27-28 are also patentable over Lewis.

### 35 U.S.C. §102(e) Rejection

Claims 29-31 stand rejected under 35 U.S.C. §102(e) as being anticipated by Nijhawan (U.S. Patent No. 6,185,677). Applicants submit that the present claims are patentable over Nijhawan.

Nijhawan discloses a method for automated generation of ACPI ASL code in the BIOS of a computer system that provides the peripheral resource configuration information that is available in a legacy MCD/PnP BIOS. (Nijhawan at col. 4, lines 36-40.) The method consists of the steps of scanning device node structures in the BIOS, finding a device node structure according to a specified criteria, and generating ASL code corresponding to the device node structure found based on specified criteria. (Col. 5, lines 14-18.)

Claim 29, as amended, of the present application recites:

A method for managing interfaces and power,  
comprising:  
    searching for a pointer to device node structures;  
    providing appropriate update values for the device node  
    structures corresponding to board capabilities determined  
by using General Purpose Input Output (GPIO) pins; and  
    updating the device node structures with said  
    appropriate update values.

Applicants submit that Nijhawan does not disclose or suggest providing appropriate update values for the AML code corresponding to board capabilities determined by using General Purpose Input Output (GPIO) pins. The Office Action cites col. 6, lines 60-63 as disclosing this feature. This cited portion of Nijhawan states, “[d]evice configuration objects provide the information to configure the hardware resources . . . [t]hese objects provide information about current and possible resource requirements.”

However, applicants can find no disclosure or suggestion in Nijhawan of providing update values for AML code corresponding to board capabilities that are determined by using

General Purpose Input Output (GPIO) pins. Furthermore, it is unclear whether the “device configuration objects” are the same as the board capabilities disclosed in the present application. Therefore, claim 29 is patentable over Lewis.

Claims 30 and 31 depend from claim 29 and include additional limitations. Therefore, claims 30 and 31 are also patentable over Lewis.

### **35 U.S.C. §103(a) Rejection**

Claims 2-4, 10, 17-21 and 23-25 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Lewis (U.S. Patent No. 6,167,511) in view of ‘Advanced Configuration and Power Interface Specification, Revision 2.0’, Compaq et al., July 27, 2000 (hereinafter “ACPI 2.0”). Applicants submit that the present claims are patentable over Lewis, even in view of ACPI 2.0.

ACPI 2.0 discloses the specification for ACPI, which establishes industry-common interfaces enabling robust operating system (OS)-directed motherboard device configuration and power management of both devices and entire systems. However, ACPI 2.0 does not disclose or suggest providing appropriate update values for the AML code corresponding to board capabilities determined by using General Purpose Input Output (GPIO) pins. Likewise, as discussed above with respect to claim 1, Lewis does not disclose or suggest such a feature. Therefore, any combination of Lewis and ACPI 2.0 would not disclose or suggest the claimed invention. Accordingly, claims 2-4, 10, 17-21 and 23-25 are patentable over Lewis in view of ACPI 2.0.

Claim 7 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Lewis (U.S. Patent No. 6,167,511) in view of Ewertz (U.S. Patent No. 6,499,102). Applicants

submit that Ewertz does not qualify as prior art due to 35 U.S.C. §103(c). As provided in 35 U.S.C. §103(c), subject matter developed by another which qualifies as “prior art” only under one or more of subsections 35 U.S.C. §102(e), (f), and (g) is not to be considered when determining whether an invention sought to be patented is obvious under 35 U.S.C. 103, provided that the subject matter and the claimed invention were commonly owned or subject to a common obligation of assignment at the invention was made.

Ewertz applies as prior art only under 35 U.S.C. §102(e) through 35 U.S.C. §103 because its issue date of December 24, 2002 occurred after the filing date of the present application, August 14, 2001, and its filing date of December 29, 1999 occurred prior to the present application’s filing date. Furthermore, Ewertz and the present application were subject to a common obligation of assignment to Intel Corporation at the time of invention. Therefore, applicants respectfully request that Ewertz be disqualified as prior art, and the rejection of claim 7 be withdrawn.

Applicants respectfully submit that the rejections have been overcome and that the claims are in condition for allowance. Accordingly, applicants respectfully request the rejections be withdrawn and the claims be allowed.

The Examiner is requested to call the undersigned at (303) 740-1980 if there remains any issue with allowance of the case.


Applicants respectfully petition for an extension of time to respond to the outstanding Office Action pursuant to 37 C.F.R. § 1.136(a) should one be necessary. Please charge our Deposit Account No. 02-2666 to cover the necessary fee under 37 C.F.R. § 1.17(a) for such an extension.

Please charge any shortage to our Deposit Account No. 02-2666.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Date: 12/22/04

  
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